

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

GILBERT EWING, #122848

PETITIONER

V.

CAUSE NO. 3:11-CV-00340-CWR-FKB

JAMES BREWER AND CHRISTOPHER EPPS

RESPONDENTS

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS

The above-styled matter is before the Court on the Report and Recommendation¹ of Magistrate Judge F. Keith Ball concerning the respondents' Motion to Dismiss Pursuant to § 2244(d).² On November 16, 2011, Judge Ball recommended that the motion be granted and, pursuant to Rule 72(b)(2) of the Federal Rules of Civil Procedure, commanded the parties to lodge any objections to his recommendation within 14 days.³ That period has expired, and neither party has voiced any objection.

Therefore, the findings of fact and conclusions of law contained within the Report and Recommendation are adopted fully herein by reference, and the Motion to Dismiss is granted. A Final Judgment will be entered on this day.

SO ORDERED this Eighth day of March 2012.

/s/ Carlton W. Reeves
Hon. Carlton W. Reeves
United States District Court Judge

¹ Report and Recommendation [Docket No. 11].

² Motion to Dismiss Pursuant to § 2244(d) [Docket No. 10].

³ Report and Recommendation at 5.